THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY
And
THE HON'BLE SRI JUSTICE D.APPA RAO

WPMP.NO.75623 OF 2006
IN
WRIT PETITION No.10542 of 2006

ORDER: (per the hon'ble Sri Justice L.Narasimha Reddy)

The 7th petitioner in W.P.No.10542 of 2006 filed this review W.P.M.P. The Writ Petition was filed by as many as 9 Theatres in Gaddiannaram Municipality. The subject matter of the writ petition was the method of payment of balance of arrears of entertainment tax. Through the order, dated 30.05.2006, the writ petition was disposed of, granting the facility of payment of arrears of entertainment tax in monthly instalment of Rs.3,00,000/-.

The petitioner herein contends that while all other petitioners are existing and running theatres, it had stopped screening films, on account of several factors, and it is finding it difficult to mobilize Rs.3,00,000/- every month. The first instalment is said to have been paid in the month of July.

The learned counsel for the petitioner submits that the balance to be paid by the petitioner is hardly Rs.10,00,000/- and that it may be permitted to clear the same in monthly instalments of Rs.1,00,000/-. The learned Special Standing Counsel strongly opposed the application, stating that the facility extended to the petitioner, on earlier occasion, itself was a matter of concession and no further indulgence can be shown.

After considering the matter from various angles, this Court thought it fit to permit the writ petitioners, to clear the arrears of entertainment tax, in monthly instalments of Rs.3,00,000/-. One distinguishing feature with the petitioner herein is that it is no longer screening the films. The difficulty for such a theater in mobilizing a sum of Rs.3,00,000/- per month can easily be imagined. Further, the arrears are not huge.

Having regard to the facts and circumstances of the case, the order dated 30.05.2006, in W.P.No.10542 of 2006, shall stand reviewed, to the effect that the monthly instalment, insofar as the petitioner herein i.e. 7th writ petitioner, shall be Rs.1,00,000/- per month from August 2006 onwards. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

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(D.APPA RAO, J)

11th August, 2006

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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Date: 11.08.2006